

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF WEST VIRGINIA**

**SENNAYI TEOUME-LESSANE,**

**Petitioner,**

**v.**

**Civil No. 5:07cv159  
(Judge Stamp)**

**JEFF BOLYARD, Acting Warden,**

**Respondent.**

**ORDER GRANTING IN FORMA PAUPERIS BUT REQUIRING  
PETITIONER TO PAY THE \$5.00 FILING FEE**

On December 5 , 2007, the *pro se* petitioner initiated this case by filing a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241. On December 13, 2007, the petitioner filed a Motion for Leave to Proceed *in forma pauperis*. On December 14, 2007, following an inquiry by the *pro se* law clerk to the prison, the Court received a copy of the petitioner's Prisoner Trust Fund Account Statement with ledger sheets.

All litigants are required to pay the costs and fees associated with civil lawsuits unless their financial condition warrants a grant of *in forma pauperis* status pursuant to 28 U.S.C. § 1915. On December 3, 2007, the date the petitioner signed his petition, he had \$17.67 in his prisoner trust account. Furthermore, his previous six months deposits total \$751.68, for an average of more than \$125 per month. In addition, his average daily balance for the previous six months was \$135.08, while his average balance for the previous thirty days was \$68.02, with a maximum balance during that period of \$178.07.

Accordingly, the petitioner is GRANTED *in forma pauperis* status. However, because

petitioner's trust account history reflects that he has income sufficient to pay the required filing fee, petitioner will be required to pay the \$5.00 filing fee within **thirty (30) days** from the date of this Order. **Failure to pay the \$5.00 fee within the required time period will result in a recommendation that his case be dismissed.**

IT IS SO ORDERED.

The Clerk is directed to send a copy of this Order to the *pro se* petitioner by certified mail, return receipt requested, to his last know address as reflected on the docket sheet.

Dated: December 17, 2007.

/s/ James E. Seibert  
JAMES E. SEIBERT  
UNITED STATES MAGISTRATE JUDGE